FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. APPLICATION NO.218 OF 2006
WITH CRIMINAL APPEAL NO. 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.D.L.Lad for the applicant.
Ms.G.P. Mulekar, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 13/2/2006.

P.C.

1. The Advocate for the applicant has relied upon the Judgment of the Division Bench of the Kerala High Court reported in 2003(2) DCR Page 192. A view has been taken by the Division Bench of the Kerala High Court that issuance of cheque to secure the payment of time barred debt, it would amount to promise in writing within the meaning of Section 23(3) and if such cheque bounces then the proceeding under Section 138 is maintainable. Hence, leave granted.

CRI. APPEAL NO. OF 2006

1. As the leave has been granted by separate order, appeal is admitted. Office to number the appeal.

(R. S. MOHITE, J.)